

AGENDA
REGULAR MEETING OF COUNCIL
May 11, 2017
6:30 PM

1. ROLL CALL
2. READING OF MINUTES
3. REPORTS & COMMUNICATIONS FROM MAYOR & HEADS OF DEPARTMENTS AND INTERESTED PARTIES AND CITY CLERK'S NOTES:
 - 3.A MINUTES OF THE REGULAR MEETINGS OF THE MEMBERS OF THE SCRANTON HOUSING AUTHORITY HELD MARCH 6 AND APRIL 3, 2017.

[Scranton Housing Authority 3-6-17 and 4-3-17.pdf](#)
 - 3.B CHECK RECEIVED MAY 9, 2017 FROM COMCAST IN THE AMOUNT OF \$269,436.72 FOR QUARTERLY FRANCHISE FEE PAYMENT.

[Comcast check for Quarterly Franchise Fee Pmt 5-9-17.pdf](#)
 - 3.C MINUTES OF THE REGULAR MEETING OF THE LACKAWANNA COUNTY LAND BANK HELD APRIL 13, 2017.

[Lacka County Land Bank Meeting 4-13-17.pdf](#)
4. CITIZENS PARTICIPATION
5. INTRODUCTION OF ORDINANCES, RESOLUTIONS, APPOINTMENT AND/OR RE-APPOINTMENTS TO BOARDS & COMMISSIONS MOTIONS & REPORTS OF COMMITTEES:

5.A A. MOTIONS

- 5.B FOR INTRODUCTION - A RESOLUTION - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO PHASE II MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF SCRANTON AND THE NATIONAL RESOURCE NETWORK TO PROVIDE SUPPORT FOR THE CREATION AND ORGANIZATION OF A TASK FORCE TO ASSIST SCRANTON TOMORROW AND PROVIDE ADDITIONAL ASSISTANCE.

[Resolution-2017 Phase II MOU with National Resource Network.pdf](#)

6. CONSIDERATION OF ORDINANCES - READING BY TITLE

- 6.A A. NO BUSINESS AT THIS TIME.

7. FINAL READING OF RESOLUTIONS AND ORDINANCES

- 7.A FOR CONSIDERATION BY THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR ADOPTION - FILE OF THE COUNCIL NO. 99, 2017 - AN ORDINANCE - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO DISBURSE EIGHTY-NINE THOUSAND DOLLARS (\$89,000.00) FROM THE ACCOUNT INTO WHICH REPAYMENT OF URBAN DEVELOPMENT ACTION GRANTS (UDAG) ARE DEPOSITED (UDAG REPAYMENT ACCOUNT) TO BE USED FOR THE PURCHASE OF PAVING MATERIALS FOR THE CITY OF SCRANTON'S PAVING PROGRAM.

[Ordinance-2017 UDAG Funds \\$89K for Paving Materials.pdf](#)

- 7.B FOR CONSIDERATION BY THE COMMITTEE ON FINANCE - FOR ADOPTION - RESOLUTION NO. 148, 2017 - APPROVING IN ACCORDANCE WITH SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, A PLAN OF FINANCING OF THE SCRANTON-LACKAWANNA HEALTH AND WELFARE AUTHORITY AND DECLARING THAT IT IS DESIRABLE FOR THE HEALTH, SAFETY AND WELFARE OF THE PEOPLE OF THE CITY OF SCRANTON FOR

THE SCRANTON-LACKAWANNA HEALTH AND WELFARE AUTHORITY TO
UNDERTAKE A PROJECT FOR ALLIED HEALTH CARE SERVICES.

[Resolution-2017 SLHWA Project for Allied Health Care
Services.pdf](#)

- 7.C FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION -
RESOLUTION NO. 149, 2017 - AUTHORIZING THE MAYOR AND OTHER
APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A
MEMORANDUM OF UNDERSTANDING WITH THE COMMONWEALTH OF
PENNSYLVANIA, DEPARTMENT OF AGRICULTURE (“PDA”), DIVISION OF
WEIGHTS AND MEASURES TO DELEGATE SPECIFIC WEIGHTS AND MEASURES
INSPECTION, AND ENFORCEMENT RESPONSIBILITIES TO THE CITY OF
SCRANTON.

[Resolution-2017 MOU Dept. of Agriculture for Weights &
Measures.pdf](#)

8. ADJOURNMENT

**MINUTES OF THE REGULAR
MEETING OF THE MEMBERS OF
SCRANTON HOUSING AUTHORITY
MARCH 6, 2017**

RECEIVED
MAY 5 2017
OFFICE OF CITY
COUNCIL/CITY CLERK

The members of the Scranton Housing Authority met in a regular session at the office of the Authority in the City of Scranton, Pennsylvania, at 5:00 P.M. on March 6, 2017.

Pledge of Allegiance.

Mrs. Mary Anne Sinclair, Madam Chairman, called the meeting to order. Roll call please.

1. Roll Call.

Present

Absent

Mary Anne Sinclair
Thelma Wheeler
Mary Clare Kingsley
William J. Egan, Jr.
Terrence V. Gallagher

In addition to the board members, those in attendance were Gary P. Pelucacci, Executive Director, Karl P. Lynott, Deputy Executive Director; W. Boyd Hughes, Solicitor, and Ann Frye, Executive Assistant to the Executive Director.

2. Executive Session.

Mrs. Sinclair: Executive Session.

Attorney Hughes: Yes, Madam Chairman, we discussed litigation and personnel.

Mrs. Sinclair: Thank you.

3.(a) Approval of the minutes of the Regular Meeting held February 6, 2017.

Mrs. Sinclair: Approval of the minutes of the regular meeting held February 6, 2017.

Mr. Gallagher: So moved.

Mr. Egan: Second

Upon roll call, the ayes and nays were as follows:

AYES	NAYS
Mary Anne Sinclair	None
Thelma Wheeler	
Mary Clare Kingsley	
William J. Egan, Jr.	
Terrence V. Gallagher	

4. Treasurer's Report for the period February 1, 2017 to February 28, 2017.

Mrs. Sinclair: Treasurer's Report for the period February 1, 2017 to February 28, 2017.

Mr. Egan: This report is as of February 28, 2017. The balances in our checking accounts are \$2,859,711.46. The Section 8 NRA Fund has a balance of \$553.61. This savings account is required by HUD to deposit excess HAP funds not used by the Authority. The payroll account will now be listed as the bank is requiring the account to have on deposit the amount of the direct deposit funds two days prior to the disbursement of the funds. Thus, the SHA will keep at minimum at least \$75,000 on deposit in the payroll account. Investments made in Certificates of Deposits amounted to \$4,605,626.56. Petty Cash totaled \$300.00, for a grand total of \$7,466,191.63. Paid bills from February 1, 2017 to February 28, 2017 were forwarded to all board members. If there are no questions, a motion should be made for approval of this report.

Mr. Gallagher: So moved.

Ms. Kingsley: Second.

Upon roll call, the ayes and nays were as follows.

AYES

NAYS

Mary Anne Sinclair
 Thelma Wheeler
 Mary Clare Kingsley
 William J. Egan, Jr.
 Terrence V. Gallagher

None

5. Secretary's Report.

Mrs. Sinclair: Secretary's Report.

Mr. Gallagher: Madam Chairperson, there is no correspondence received this past month to report.

Mrs. Sinclair: Thank you.

6. Committee Reports.

6.(a) Chairman Report.

Mrs. Sinclair: Committee Reports, I have nothing to report at this time. Executive Director's Report.

6. (b) Executive Director Report.

Mr. Pelucacci: Yes, Madam Chairman. Under our Utility Report for the month of January, 2017 our total utility cost was \$176,779.78 and for the month of February, 2017 our total utility cost was \$221,791.20.

On our Tenant's Accounts Receivable Report, for the month of December, 2016 we had a total of 305 delinquents totaling \$127,455.45; for the month of January, 2017 we had 304 delinquents totaling \$143,059.86 and for the month of February, 2017 we had 212 delinquents totaling \$134,312.26.

On our Construction Report Madam Chairman, work has been progressing smoothly on the comprehensive renovations of Buildings 3 and 16 at Valley View Terrace. Both buildings should be complete by late spring.

That is all I have, Madam Chairman.

Mrs. Sinclair: Thank you. Solicitor's Report, Attorney Hughes.

6.(c) Solicitor Report.

Attorney Hughes: Yes, Madam Chairman, everything is set forth in Items (a)(b) and (c) on the bids.

Mrs. Sinclair: Thank you. Apartment Report.

6.(d) Apartments.

Mr. Pelucacci: Yes, Madam Chairman. Under our Public Housing Program, we have an A.C.C. of 1,269 units with 1,221 units under effective lease. There are Forty-Eight (48) vacant apartments in which Twenty-Three (23) vacant units are under modernization at Valley View Terrace. Under our Section 8 Housing Choice Voucher Program, we have an A.C.C. of 1050 units with 890 units under effective lease. Total apartments under effective lease by the Scranton Housing Authority as of February 28, 2017, are 2,111 out of an A.C.C. of 2,319.

That concludes the Apartment Report, Madam Chairman.

Mrs. Sinclair: Any unfinished business?

7. Unfinished Business.

Mr. Pelucacci: Not to my knowledge, Madam Chairman.

Mrs. Sinclair: New Business.

8. New Business.

8.(a) Bid Opening – February 21, 2017 – Refrigerators for all Developments.

Mr. Pelucacci: Madam Chairman, we had a bid opening February 21, 2017 at 10:00 a.m. for frost free energy star refrigerators for all developments. We received three (3) bids.

We received one bid from Dunmore Appliance for \$493.00 each. We received one bid from General Electric for \$469.00 dollars each and we received one bid from Star Creations, Inc. DBA as A. J. Madison for \$450.00 dollars each. The bids were reviewed by Authority staff and our Solicitor.

It would be my recommendation to make the award to the lowest bidder Star Creations, Inc. DBA as A.J. Madison at \$450.00 dollars per refrigerator.

Mr. Gallagher: So moved.

Mr. Egan: Second.

Upon roll call, the ayes and nays were as follows.

AYES

NAYS

Mary Anne Sinclair
Thelma Wheeler
Mary Clare Kingsley
William J. Egan, Jr.
Terrence V. Gallagher

None

8.(b) Bid Opening – February 22, 2017 – Plumbing Materials for all Developments.

Mr. Pelucacci: Madam Chairman, we had a bid opening on February 22, 2017 for Plumbing Materials for all developments.

We received one bid for the Plumbing Materials. The bid was from Chapman Supply, Inc. for \$7,834.70 dollars. The bid was reviewed by Authority staff and our Solicitor.

It would be my recommendation to make the award to the lowest bidder Chapman Supply, Inc. for \$7,834.70.

Mr. Gallagher: So moved.

Ms. Kingsley: Second.

Upon roll call, that ayes and nays were as follows.

AYES

NAYS

Mary Anne Sinclair
Thelma Wheeler
Mary Clare Kingsley
William J. Egan, Jr.
Terrence V. Gallagher

None

8.(c) Bid Opening – February 22, 2017 – Electrical Materials for all Developments.

Mr. Pelucacci: Madam Chairman, we had a bid opening on February 22, 2017 for Electrical Supplies for all developments.

We received one bid for the Electrical Supplies. The bid was from Friedman Electric for \$5,138.13 dollars. The bid was reviewed by Authority staff and our Solicitor.

It would be my recommendation to make the award the Friedman Electric for \$5,138.13.

Mr. Egan: So moved.

Ms. Kingsley: Second.

Upon roll call, the ayes and nays were as follows.

AYES

NAYS

Mary Anne Sinclair
Thelma Wheeler
Mary Clare Kingsley
William J. Egan, Jr.
Terrence V. Gallagher

None

Mrs. Sinclair: Personnel.

9. Personnel.

Mr. Pelucacci: Yes, Madam Chairman, under personnel, we have no resignations and no retirements. Under workers compensation:

Robert Griffiths has been off since July 7, 2016. Ryan O'Hora has been off since November 9, 2016.


Mr. Pelucacci: That concludes the Personnel Report, Madam Chairman.

10. Public Comment.

No one present for Public Comment

11. Adjournment.

There being no further business to come before the board, the meeting was adjourned at the call of the Chair on motion made by Mr. Egan, and seconded by Ms. Kingsley.



Terrence V. Gallagher, Secretary

Certificate

I, Terrence V. Gallagher, hereby certify that:

1. I am the duly appointed, qualified and acting Secretary of the Scranton Housing Authority.

2. I am custodian of the records of said Authority.

3. The attached copy of the Minutes of the Regular Meeting of said Authority held March 6, 2017 is a true and correct copy of the original Minutes of said meeting, as approved at the meeting of said Authority on April 3, 2017 and is recorded in the Minutes of the Authority.

In Witness Whereof, I have hereunto set my hand and the corporate seal of this Authority this 3rd DAY of APRIL, 2017.



Terrence V. Gallagher
Secretary

**MINUTES OF THE REGULAR
MEETING OF THE MEMBERS OF
SCRANTON HOUSING AUTHORITY
APRIL 3, 2017**

RECEIVED
MAY 5 2017
OFFICE OF CITY
COUNCIL/CITY CLERK

The members of the Scranton Housing Authority met in a regular session at the office of the Authority in the City of Scranton, Pennsylvania, at 5:00 P.M. on April 3, 2017.

Pledge of Allegiance.

Mrs. Mary Anne Sinclair, Madam Chairman, called the meeting to order. Roll call please.

1. Roll Call.

Present

Mary Anne Sinclair
Thelma Wheeler
Mary Clare Kingsley
William J. Egan, Jr.

Absent

Terrence V. Gallagher

In addition to the board members, those in attendance were Gary P. Pelucacci, Executive Director, Karl P. Lynott, Deputy Executive Director; W. Boyd Hughes, Solicitor, and Ann Frye, Executive Assistant to the Executive Director. Also, in attendance was Ralph Steeves, from Orkin Pest Control.

2. Executive Session.

Mrs. Sinclair: Executive Session.

Attorney Hughes: Yes, Madam Chairman, we discussed litigation and personnel.

Mrs. Sinclair: Thank you.

3.(a) Approval of the minutes of the Regular Meeting held March 6, 2017.

Mrs. Sinclair: Approval of the minutes of the regular meeting held March 6, 2017.

Ms. Kingsley: So moved.

Mr. Egan: Second

Upon roll call, the ayes and nays were as follows:

AYES	NAYS
Mary Anne Sinclair	None
Thelma Wheeler	
Mary Clare Kingsley	
William J. Egan, Jr.	

4. Treasurer's Report for the period March 1, 2017 to March 29, 2017.

Mrs. Sinclair: Treasurer's Report for the period March 1, 2017 to March 29, 2017.

Mr. Egan: This report is as of March 29, 2017. The balances in our checking accounts are \$2,860,351.10. The Section 8 NRA Fund has a balance of \$1,553.61. This savings account is required by HUD to deposit excess HAP funds not used by the Authority. The payroll account will now be listed as the bank is requiring the account to have on deposit the amount of the direct deposit funds two days prior to the disbursement of the funds. Thus, the SHA will keep at minimum at least \$75,000 on deposit in the payroll account. Investments made in Certificates of Deposits amounted to \$4,597,200.10. Petty Cash totaled \$300.00, for a grand total of \$7,459,404.81. Paid bills from March 1, 2017 to March 29, 2017 were forwarded to all board members. If there are no questions, a motion should be made for approval of this report.

Ms. Kingsley: So moved.

Mr. Egan: Second.

Upon roll call, the ayes and nays were as follows.

AYES

NAYS

Mary Anne Sinclair
 Thelma Wheeler
 Mary Clare Kingsley
 William J. Egan, Jr.

None

5. Secretary's Report.

Mrs. Sinclair: Secretary's Report.

Mr. Pelucacci: None at this time.

Mrs. Sinclair: Thank you.

6. Committee Reports.

6.(a) Chairman Report.

Mrs. Sinclair: Committee Reports, I have nothing to report at this time. Executive Director's Report.

6. (b) Executive Director Report.

Mr. Pelucacci: Yes, Madam Chairman. Under our Utility Report for the month of February, 2017 our total utility cost was \$221,791.20 and for the month of March, 2017 our total utility cost was \$191,058.98.

On our Tenant's Accounts Receivable Report, for the month of January, 2017 we had a total of 304 delinquents totaling \$143,059.86; for the month of February, 2017 we had 212 delinquents totaling \$134,312.26 and for the month of March, 2017 we had 270 delinquents totaling \$126,847.80.

On our Construction Report Madam Chairman, work has been progressing smoothly on the comprehensive renovations of Buildings 3 and 16 at Valley View Terrace. Both buildings should be complete within the next month or two.

That is all I have, Madam Chairman.

Mrs. Sinclair: Thank you. Solicitor's Report, Attorney Hughes.

6.(c) Solicitor Report.

Attorney Hughes: Yes, Madam Chairman, there are two legal opinions attached on two bids. Item 8(a) for pest control report bidders from a low of \$11,280.00 dollars plus \$210.00 a unit for bed bug service, to a high bid of \$31,200.00 plus \$650.00 a unit for bed bug service. My opinion it should be awarded to Erhlich who is the lowest responsible bidder. The other one is 8(b) for cleaning supplies there were two bidders. Pennsylvania Paper & Supply and All American Poly. In my opinion All American Poly bid should be rejected because they only bid four items. They did not bid on twenty-eight items. In accordance with the bid specifications they had to bid on all items. So, I disqualified the bidder All American Poly, and recommended that the award go to Pennsylvania Paper & Supply Company.

Mrs. Sinclair: Thank you. Apartment Report.

6.(d) Apartments.

Mr. Pelucacci: Yes, Madam Chairman. Under our Public Housing Program, we have an A.C.C. of 1,269 units with 1,217 units under effective lease. There are Fifty-Two (52) vacant apartments in which Twenty-Four (24) vacant units are under modernization at Valley View Terrace. Under our Section 8 Housing Choice Voucher Program, we have an A.C.C. of 1050 units with 884 units under effective lease. Total apartments under effective lease by the Scranton Housing Authority as of March 31, 2017, are 2,101 out of an A.C.C. of 2,319.

That concludes the Apartment Report, Madam Chairman.

Mrs. Sinclair: Any unfinished business?

7. Unfinished Business.

Mr. Pelucacci: Not to my knowledge, Madam Chairman.

Mrs. Sinclair: New Business.

8. New Business.

8.(a) Bid Opening – March 22, 2017 – Pest Control for all Developments.

Mr. Pelucacci: Yes, Madam Chairman, we had a bid opening on March 22, 2017 at 10:00 a.m. for pest control services for all developments. This bid is for a two year period. This service is for a comprehensive approach to pest control. This service by the pest control company will include semi-annual inspections of all 1295 Public Housing units and all common areas within the developments. This service will also include preventative treatments at a set number of apartments per month for general pest control and a set charge for any apartment that requires treatment for bed bugs.

SHA received four (4) bids for this service. The first bid was from Rentokil North America, Inc., D/B/A JC Ehrlich in the amount of \$11,280 dollars per year plus bed bug service at \$210.00 dollars per unit. The next bid was from Pestmaster Services at \$12,180.00 dollars per year plus bed bug service at \$235.00 dollars per unit. The next bid was from Orkin Pest Control at \$15,660.00 dollars per year plus bed bug service at \$245.00 dollars per unit and the final bid was from Forbes Pest Control in the amount of \$31,200.00 dollars per year plus bed bug service at \$650.00 dollars per unit.

The bids were reviewed by staff and our Solicitor. It would be my recommendation to award the contract to Rentokil North American, Inc. D/B/A JC Ehrlich for two years at \$11,280.00 dollars per year and bed bug service at \$210.00 dollars per unit.

Mr. Egan: Madam Chair, before we open up a motion on that I believe this gentleman is here on that issue. I know this is prior to public comment but I think that since the gentleman

has taken the time to come here before we open it up for motion he could make a comment on it if he would like to.

Mr. Seeves: The one thing I would like to say is we value the work that we do with the city and you do with us. For the last four or five years that we have had the contract we actually devote a person to the city. He's been every single day of every single week down here doing housing work outside the scope of services and the work that you may not see that Mark does do. With that being said, we do understand that Erlich came in with a substantially lower bid than us so, again we just want to thank the city for everything.

Mr. Pelucacci: Mark has done a phenomenal job for us. An excellent job we never had a complaint with him.

Mr. Seeves: Yes, Mark is a good guy.

Mr. Egan: Because we may not award this to you and I can't speak for how we are going to vote on this, but Mr. Pelucacci said your company has done a very good job for us and the fact that you may not get it this time, please don't not bid in the future. You know how it goes, somewhere along the line you took it from somebody else. We appreciate you taking the time for you to even come here and address it. Sorry Madam Chair, I just figured since he's here we should let him make a comment.

Mrs. Sinclair: That's fine.

Ms. Seeves: Thank you for the time.

Mr. Egan: Thank you for coming. I'll make that motion that we accept the bid as recommended by staff and by the Solicitor.

Ms. Kingsley: Second.

Upon roll call, the ayes and nays were as follows.

AYES

NAYS

Mary Anne Sinclair
Thelma Wheeler
Mary Clare Kingsley
William J. Egan, Jr.

None

8.(b) Bid Opening – March 23, 2017 – Cleaning Supplies for all Developments.

Mr. Pelucacci: Madam Chairman, Item 8(b) is for a bid opening for cleaning supplies for all developments. The bid opening was on March 23, 2017 at 10:00 a.m. The Scranton Housing Authority received two bids. We received one bid from Pennsylvania Paper & Supply Com., Inc., for \$22,617.42. We received one bid from All American Poly for \$3,466.44. Attorney Hughes did explain the situation where All American Poly did not bid on all items. So, with that said and our Solicitor's opinion, I would recommend that the board award the contract to Pennsylvania Paper & Supply for \$22,617.42.

Ms. Kingsley: So moved.

Ms. Wheeler: Second.

Upon roll call, that ayes and nays were as follows.

AYES

NAYS

Mary Anne Sinclair
Thelma Wheeler
Mary Clare Kingsley
William J. Egan, Jr.

None

Mrs. Sinclair: Personnel.

9. Personnel.

Mr. Pelucacci: Yes, Madam Chairman, under personnel, we have no resignations and no retirements. Under workers compensation:

Robert Griffiths has been off since July 7, 2016. Ryan O'Hora has been off since November 9, 2016.

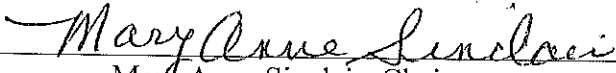
That concludes the Personnel Report, Madam Chairman.

10. Public Comment.

No Public Comment.

11. Adjournment.

There being no further business to come before the board, the meeting was adjourned at the call of the Chair on motion made by Mr. Egan, and seconded by Ms. Kingsley.


Mary Anne Sinclair, Chairman

Certificate

I, Mary Anne Sinclair, hereby certify that:

1. I am the duly appointed, qualified and acting Secretary of the Scranton Housing Authority.
2. I am custodian of the records of said Authority.
3. The attached copy of the Minutes of the Regular Meeting of said Authority held April 3, 2017 is a true and correct copy of the original Minutes of said meeting, as approved at the meeting of said Authority on May 1, 2017 and is recorded in the Minutes of the Authority.

In Witness Whereof, I have hereunto set my hand and the corporate seal of this Authority this 1st DAY of MAY, 2017.



Mary Anne Sinclair
Chairman



COMCAST FINANCIAL AGENCY CORPORATION
A Comcast Cable Communications Group Company
1701 JFK Boulevard
Philadelphia, PA 19103-2838

7056746

PAGE: 1 of 1

DATE: May 2, 2017
CHECK NUMBER: 520494731
AMOUNT PAID: \$269,436.72



01889 CKS ZA 17122 - 0520494731 NNNNNNNNNN 1225100004007 X193A1 C

SCRANTON CITY OF PA
ATTN CITY CLERK
340 N WASHINGTON AVE
SCRANTON PA 18503



VENDOR NUMBER: 267205

VENDOR: SCRANTON CITY OF PA

INVOICE NO.	INVOICE DATE	ACCOUNT NUMBER	DESCRIPTION	DISCOUNT AMOUNT	NET AMOUNT
391716	03/31/17		303121-Scranton PA	\$0.00	\$269,436.72
			TOTALS	\$0.00	\$269,436.72

RECEIVED

MAY 9 2017

OFFICE OF CITY
COUNCIL/CITY CLERK

PLEASE DETACH BEFORE DEPOSITING CHECK



COMCAST FINANCIAL AGENCY CORPORATION
A Comcast Cable Communications Group Company
1701 JFK Boulevard
Philadelphia, PA 19103-2838

CHECK
NUMBER 520494731
May 2, 2017

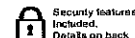
56-1544
441

*** VOID AFTER 180 DAYS ***

PAY
TO THE
ORDER OF: SCRANTON CITY OF PA
ATTN CITY CLERK
340 N WASHINGTON AVE
SCRANTON, PA 18503

CHECK AMOUNT
\$269,436.72

EXACTLY *****269,436 DOLLARS AND 72 CENTS



JPMorgan Chase Bank, N.A.
Columbus, OH

Authorized Signature

21

520494731 0441154430

6755283430



System Name: Comcast of
Colorado/Pennsylvania/West
Virginia, LLC
Email: Adrienne_Schaeffer@comcast.co
m
Phone: 610-665-2515

Vendor ID: 267205
Contract Name: Scranton PA
Statement Period: Jan - Mar, 2017
Payment Amount: \$269,436.72
Statement Number: 391716
CUID: PA0830
System ID: 8993-1100-4440, 01603-101,
01603-120

SCRANTON CITY OF PA
ATTN CITY CLERK
340 N WASHINGTON AVE
SCRANTON, PA, 18503

This statement represents your payment for the period
listed above.

Revenue Category	Amount
Expanded Basic Video Service	\$1,855,129.14
Limited Basic Video Service	\$1,188,136.19
Digital Video Service	\$1,015,633.58
Pay	\$404,860.57
PPV / VOD	\$143,520.91
Digital Video Equipment	\$216,173.85
Video Installation / Activation	\$47,675.59
Franchise Fees	\$282,961.88
PEG Fees	\$10,932.81
Other	\$58,427.67
Late Fees	\$81,513.16
Write-offs / Recoveries	(\$106,924.11)
Ad Sales	\$164,691.91
Home Shopping Commissions	\$25,999.09
Total	\$5,388,732.25
Franchise Fee %	5.00 %
Franchise Fee	\$269,436.72

To the best of my knowledge and belief, the above is a true and correct statement for the accounting of the gross revenues received by this corporation for the period.

Adrienne Schaeffer

Accountant

RECEIVED

MAY 9 2017

LACKAWANNA COUNTY LAND BANK

REGULAR MEETING MINUTES

OFFICE OF CITY
COUNCIL/CITY CLERK

April 13, 2017

The regular meeting of the Lackawanna County Land Bank was held on April 13, 2017 in the Commissioners' Conference Room, 200 Adams Avenue. Sixth Floor, Scranton, Pennsylvania.

At 10:00 am Chairman O'Malley called the meeting to order and all joined in the Pledge of Allegiance.

ROLL CALL

Roll Call was taken by George Kelly (member)

Commissioner O'Malley (Chairman) - Present

Henry Deecke – Present

Linda Aebli – Present

Marion Gatto – Present

Terrence McDonnell – Present

Steve Pitoniak – Excused

Also present were Atty. Joseph Colbassani, Land Bank Legal Counsel, Ralph Pappas, Business Relations Manager, Department of Economic Development and Margaret Piccotti, Assistant to George Kelly.

PUBLIC COMMENT ON AGENDA ITEMS ONLY

There were no public comments on the agenda.

MINUTES

A motion was made by Mr. Deecke and seconded by Ms. Aebli to approve the minute's of the March 10, 2017 regular meeting as prepared and presented.

All in Favor

PRESENTATION of VOUCHERS for EXAMINATION and APPROVAL

A motion was made by Ms. Gatto and seconded by Mr. McDonnell to approve the voucher expenditures of March 10, 2017 through April 13, 2017, as presented.

All in Favor

DISCUSSION ITEMS

a) First Round of Property Acquisition Update

Recording of the Deeds - Ralph Pappas mentioned at the last meeting the board voted to approve the sale of several properties for the Side Lot program. They also approved the leasing of some properties to NeighborWorks and the Hill Neighborhood Association. He stated that a meeting with Attorney Colbassani and George Kelly is scheduled for Monday to tweak the agreement of sales. Once that is done and the agreements are executed, the deeds could be prepared. George Kelly then stated the sales agreement for unimproved lots is \$100 "as is, where is" Quit Claim Deed.

Henry Deeke asked if the Deed of Conveyance could it be special warranty rather than a Quit Claim Deed. Attorney Colbassani answered that it could be, but the onus is going to be on the purchaser to worry about doing title searches, or any title issues. That is part of the consideration of getting the property at a low cost. He also stated that side lot programs in other Pennsylvania counties as well as other states usually do the Quit Claim Deed.

George Kelly stated the reason behind that is since we are only doing a \$100 side lot program and we are paying the \$35 state fee to transfer, the net on it is \$65. He stated he did not want to incur an added expense.

George Kelly also questioned - to do a special warranty do we have to take other steps? Attorney Colbassani responded that we may have to but that would defeat the purpose.

A discussion to place regarding a Special Warranty Deed on commercial property. Henry Deeke voiced concerns over any possible discrepancies to which Attorney Colbassani reassured him it was up to the purchaser to do their due diligence to make property marketable.

George Kelly also discussed the disposition of the properties. He stated that Ralph Pappas is going to go through the current Land Bank property list and check the ones that need to be updated on Assessor's database. Then, if there are any vacant land properties that have high assessments, the Assessors office can make sure all the properties are equitable. The Land Bank is taking all step to minimize buyer's remorse.

b) Next Round of Property Acquisitions

It was stated that research has been done on a number of properties by a partner of our community development team, NeighborWorks. Staff at NeighborWorks took photos of properties on the repository that are now being used by neighbors. They were being used as driveways, house sheds, and for pools. George Kelly asked Ralph Pappas where we were at in acquiring those properties. Ralph Pappas said the board members are going to sign the check today to record those deeds. On Monday we will record the deeds all at once. We have 124 properties at this point. Commission Patrick O'Malley stated he would like to have a press conference when we are handing the first deed over to a new owner. At the press conference we could inform the community about the Land Bank and answer any questions pertaining to Land Bank.

c) Scranton Advisory Committee Update

Linda Aebli- The committee meeting was lightly attended. Linda Aebli was provided a letter from the Housing Alliance of Pa regarding how DCED provided CDBG funding to demolish properties. The letter provided information that money for demolition should be paid back once the property is sold. She is going to send the letter to our HUD representative in the hopes of getting answers.

George Kelly summarized the letter explained that taking down the properties is achieving the national objective on the blight. The letter states we do not have to recover the amount of demolition but we have to recover the fair market value obtained. George Kelly also suggested going through Senator Bob Casey's office regarding a response from HUD.

A discussion took place regarding the disposition of four (4) different properties that were discussed at the advisory committee meeting. There are three (3) Side Lots, one has a demolition lien on it. The fourth property is an existing structure that is surrounded by other properties. One of the property owners wants to purchase it but wants us to take care of the demolition of it. Advisory Committee recommends we do not demolish. They suggest once we do a press release, we can post a for sale sign to see if any neighbor wants to purchase the property as where is, as is. If no one makes an offer the situation will be addressed and the proper steps will be taken.

d) Land Bank Website

The Land Bank website is almost complete. An intern from Marywood set up the site. Chris Speicher from Marywood wants to meet on April 26th to finalize it. Chris Chapman from the Economic Development team will be our point

person to keep us up to date with the website. In using the intern we were able to save a substantial amount of money.

ACTION ITEMS

Motion by Marion Gatto

Seconded by Henry Deeke

Resolution No. 17-008, Authorizing the Conveyance of Certain Land Bank Owned Property under the Land Bank Side Lot Program

All in favor

Motion by Henry Deeke

Seconded by Linda Aebli

Resolution No. 17-009, Ratifying the Acquisition of 26 Properties from the City of Scranton's Tax Claim Repository List of Unsold Property.

All in favor

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Jennifer Spitler from Neighbor Works mentioned that they (Neighbor Works) are working on a community survey targeting the West Side of Scranton area. It is a residence survey with 10 questions. She is giving the Advisory Committee the opportunity to add questions. She thought if Land Bank questions were asked it would make people aware of the Land Bank.

ADJOURNMENT

As all business had been conducted, a motion to adjourn was made by Henry Deeke with a second by Terry McDonnell. The motion carried and the meeting was adjourned.

Marion Gatto, Secretary

Prepared by Margaret Piccotti

RESOLUTION NO. _____

2017

AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO PHASE II MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF SCRANTON AND THE NATIONAL RESOURCE NETWORK TO PROVIDE SUPPORT FOR THE CREATION AND ORGANIZATION OF A TASK FORCE TO ASSIST SCRANTON TOMORROW AND PROVIDE ADDITIONAL ASSISTANCE.

WHEREAS, on May 26, 2016 Scranton City Council passed Resolution 39, 2016 authorizing the Memorandum of Understanding for Phase II; and

WHEREAS, the National Resource Network will provide additional support for the creation and organization of a Task Force to lead changes for Scranton Tomorrow and to provide recommendations and next steps to help Scranton Tomorrow be an effective partner organization to the City. A copy of the Memorandum is attached hereto as Exhibit "A" and incorporated herein by reference hereto; and

WHEREAS, the Network will review the School District budget, consider financial projections and present possible revenue and expenditure options to address financial challenges; which assistance has been approved by Scranton School District Board of Education; and

WHEREAS, a copy of the letter to the Honorable William L. Courtright approving the proposed assistance is attached hereto as Exhibit "B" and incorporated herein by reference hereto; and

WHEREAS, for Phase II, the Network estimates that the total costs would be \$90,000, inclusive of travel expenses. Of this total, 75% (\$67,500) would be funded by HUD and 25 % (\$22, 500) would be funded through match resources. Specifically, the task force supporting Downtown Revitalization will be \$50,000, with HUD funding covering \$37,500 and the City of Scranton's 25% match covering \$12,500. The cost of the school finance assessment task Phase II will be \$40,000 with \$30,000 covered by HUD funding and the 25% match of \$10,000 paid by the Commonwealth of Pennsylvania's Department of Education.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SCRANTON that the Mayor and other appropriate City officials are hereby authorized to execute and enter into a Phase II Memorandum of Understanding between the City of Scranton and the National Resource Network to provide additional support for the creation and organization of a task source to assist Scranton Tomorrow and additional assistance.

SECTION 1. If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intend of this Resolution and the effective administration thereof.

SECTION 2. This Resolution shall become effective immediately upon approval.

SECTION 3. This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.

Passed by the Council

Receiving the Affirmative votes of Council Persons

Negative _____

President

Approved _____

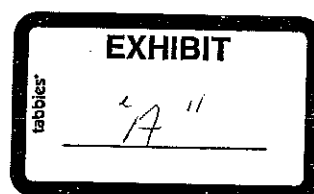
Mayor

City Clerk

Certified Copy

**Memorandum of Understanding between
the City of Scranton and the National Resource Network**

1. This memorandum of understanding commemorates an agreement between the City of Scranton, a local government incorporated in the Commonwealth of Pennsylvania (the "City"), and the National Resource Network ("Network"), an initiative of the federal government's Strong Cities Strong Communities initiative under the auspices of the White House Council on Strong Cities, Strong Communities established pursuant to an Executive Order signed on March 15, 2012.
2. The Network is formed pursuant to a cooperative agreement between the U.S. Department of Housing and Urban Development ("HUD") and Enterprise Community Partners, Inc. ("Enterprise") (the "HUD Cooperative Agreement"). The Network is a consortium comprised of Enterprise, Public Financial Management, Inc. ("PFM"), HR&A Advisors, Inc. ("HR&A"), New York University through its Robert F. Wagner School of Public Service ("NYU") and the International City/County Management Association ("ICMA") (collectively, the "Consortium Members"). The Consortium Members have formed a Governing Board for the Network. The Network Governing Board has agreed that David Eichenthal will act as the Executive Director of the Network, and, as part of that role, is authorized to sign contracts, agreements, memoranda of understanding and other instruments that establish and implement the relationships between the Network and the cities and other locations the Network will serve or serves as set forth in the HUD-approved work plans for those cities and locations.
3. The Network was created out of demand from cities around the country to have access to experts, technical advice, and information that can help them address the mounting challenges of growing inequality, high unemployment, under-performing schools, aging infrastructure and vacant and blighted properties. For many local governments facing dwindling budgets, especially those facing significant economic shocks, these challenges have made it difficult for cities to effectively attract jobs, retain an educated workforce, grow the middle class, and revitalize their economies. The Network will help cities address these challenges through on-the-ground expert engagements and advisory services, among other forms of assistance. The goal of the Network is to assist cities in developing and implementing cross-cutting strategies designed to promote economic recovery at the local level.
4. A team of representatives of the Network visited the City on November 5th and 6th, 2015. During that visit, Network representatives met with officials of the City, as well as other local stakeholders. On the basis of interviews during their visit and analysis of data



collected by the Network team and provided by the City, the Network developed an assessment of challenges and opportunities that included a proposal for the delivery of direct assistance.

5. The goal of the direct assistance plan for the City is to assist in the City's economic recovery in the following ways:

Phase I: Downtown Revitalization Plan

The National Resource Network helped the City of Scranton and its anchor institutions develop a framework to guide implementation of the downtown Scranton Community Revitalization Plan and long-term collaboration. The National Resource Network supported outreach to stakeholders, organization, and facilitated a workshop to examine a formal implementation framework, explored options for creating an entity dedicated to revitalizing downtown, and provided a roadmap for sustaining long-term collaboration.

Phase II: Downtown Revitalization Implementation and School Budgeting

The National Resource Network will provide additional support for the creation and organization of a Task Force to lead changes for Scranton Tomorrow and to provide recommendations and next steps to help Scranton Tomorrow be an effective partner organization to the City. In addition, the Network will review the School District budget, consider financial projections, and present possible revenue and expenditure options to address financial challenges.

6. To achieve this goal, the Network will provide direct assistance to the City in accord with the following timetable:

Phase I

Summer 2016

- Project kickoff
- Site Visit and Interviews with Key Stakeholders
- Identified Case Studies

Fall/Winter 2016

- Workshop for City and Stakeholders to Present Findings and Facilitate Discussion about Possible New Entity
- Delivered Memorandum Summarizing Implementation Recommendations and Strategy
- Final Presentation of Findings and Recommended Approach, and Discussion of Next Steps

Phase II

April 2017

- Develop a work plan for the Task Force
- Review existing School District budget and financial projections

May 2017

- Facilitate Task Force Meetings, develop budget scenarios to support the Task Force's recommendations for Scranton Tomorrow
- Produce financial projections scenarios, identify possible revenue and expenditure initiatives

June 2017

- Present summary report of Recommendations and Next Steps
- Provide preliminary support to the School District on expenditure control initiatives

7. The direct assistance plan will be executed by the following team of representatives of the Network:

HR&A Advisors, through Eric Rothman, Todd Fawley-King, and Nate Morawetz

PFM, through Dean Kaplan, David Sallack, Marissa Litman, Meredith Brett, Ian Tyson, and Julia Belsky

Additional members of the team may assist in the execution of the direct assistance plan as needed.

8. The Network executed Phase I of the direct assistance plan between May 2016 and December 2016. As part of the direct assistance plan, the Network provided the following deliverables to the City:

- Case Studies on Downtown Entities in other cities
- Presentation on Case Studies
- Memo on Implementation Recommendations
- Final Presentation on Implementation Recommendations

The Network will execute Phase II of the direct assistance plan between March and June 2017. As part of the direct assistance plan, the Network will provide the following deliverables to the City:

- Summary Report of Recommendations for Downtown Redevelopment Task Force
- Summary Report for Projections and Alternative Scenarios for School Budget

9. The Network provided direct assistance during Phase I valued at \$70,000, plus travel costs of \$3,500, for a total of \$73,500. The Network funded seventy-five percent (75%) of this cost with funds provided by HUD pursuant to the HUD Cooperative Agreement. The City provided twenty-five percent (25%) of the total estimated cost of the direct assistance plan plus travel, or \$18,375. This work has been completed, and these costs have been paid.

For Phase II, the Network estimates that the total costs would be \$90,000, inclusive of travel expenses. Of this total, 75 percent (\$67,500) would be funded by HUD, and 25 percent (\$22,500) would be funded through match resources. Specifically, the task

supporting Downtown Revitalization will be \$50,000, with HUD funding covering \$37,500 and the City of Scranton's 25 percent match covering \$12,500. The cost of the school finance assessment task of Phase II will be \$40,000, with \$30,000 covered by HUD funding, and the 25 percent match of \$10,000 paid by the Commonwealth of Pennsylvania's Department of Education.

The City may provide funds from its own local government budget or it may secure a commitment of funding from a third party. The City shall either make payment of its share of the cost or ensure third party payment no later than sixty (60) days after the execution of this memorandum, or on a schedule agreed upon by the City and the Network prior to the commencement of the engagement. If payment of the City's share of the costs is not received by the 60th day, the Network may exercise its right to stop work until payment is received. Whether the City intends to secure third party funding or not, the City is responsible for meeting this requirement. In the event that the projected cost of the direct assistance plan increases without an increase in scope, the Network will be solely responsible for any increase in cost. If the value of the direct assistance increases due to an increase in scope agreed to by the Network and the City and commemorated by a written amendment pursuant to section 13 of this memorandum, the City will then be responsible for twenty-five percent (25%) of any increase in cost. The fiscal sponsor for the Network is Enterprise. All payments should be sent to Enterprise in accordance with the attached payment instructions.

10. In addition to the provision of matching funds for the cost of the direct assistance plan set forth in section 9, the City also agrees to and commits to the following:
 - a. Upon execution of this memorandum, the Mayor of the City commits to a good faith effort to implement actions developed as part of the direct assistance plan.
 - b. As part of the execution of this memorandum, the City commits to provide timely cooperation to all reasonable requests by the Network for documents, data and other information. In addition, the City commits to participate in regular meetings as set forth in the timetable detailed in section 6 above and to arrange and participate in such meetings determined to be necessary by the Network as part of the direct assistance plan.
 - c. Upon execution of this memorandum, the City shall designate a senior official to act as the project manager and point of contact for the Network in the execution of the direct assistance plan. The designated project manager shall report to the Mayor, the City Manager or the Chief Administrative Officer or equivalent.
 - d. The City agrees and acknowledges that an integral part of the direct assistance provided by the Network will be ongoing peer-to-peer activity. The City shall take reasonable steps to engage with the Network through the peer-to-peer activity process during the term of the direct assistance plan and for an additional three years after completion of the direct assistance.
 - e. The City agrees and acknowledges that the work of the Network, including its work with the City, will be the subject of an independent evaluation being

conducted by The Urban Institute. The City agrees to provide full cooperation with all reasonable requests for data and documents by The Urban Institute as part of its evaluation.

- f. Prior to the completion of the direct assistance plan, the City agrees that it will develop a written plan for continued implementation of the work developed through the direct assistance plan for a period of at least thirty-six (36) months. The completion plan shall include a timetable of specific activities and an agreed-upon set of metrics for measuring the progress of the direct assistance plan.

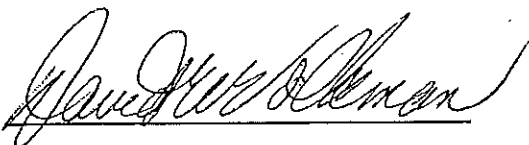
11. Decisions related to the direct assistance plan shall be commemorated in writings, including e-mails, between the Network's designated team lead and the City's project manager. This provision shall not apply to routine sharing of information or interviews or meetings between members of the Network team and officials of the City and other stakeholders.
12. External communications, including communications with members of the media, by the Network may be limited based on provisions of the HUD Cooperative Agreement. The City is not bound by such limitations.
13. This memorandum is subject to termination at any time by either party. Such party who wishes to terminate the memorandum shall send a written notification to the other party at least (30) thirty days prior to the termination date. This memorandum will be effective upon the Network's execution in the space provided below. This memorandum may be amended by a written amendment executed by both the Network and the City.

David Eichenthal, Executive Director, National Resource Network

Date

David Bulzoni, City Manager, City of Scranton

Date



David W. Volkman, Executive Deputy Secretary
Commonwealth of Pennsylvania's Department of Education

4/12/17

Date

CITY OF SCRANTON

ATTEST:

BY: _____
Lori Reed, City Clerk

Date: _____

BY: _____
William L. Courtright, Mayor

Date: _____

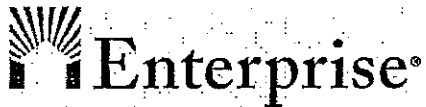
BY: _____
Roseann Novembrino, City Controller

Date: _____

APPROVED AS TO FORM:

BY: _____
Jessica L. Boyles, Esq., City Solicitor

Date: _____



Payment Instructions

For payment by wire:

Bank Name M & T Bank Corporation
Bank ABA#: 022 000 046
Bank Acct. Name: Enterprise Community Partners, Inc.
 Operating Account
Bank Account #: 970150800
Reference: NRN City: _____

For payment by check:

Please send to: Enterprise Community Partners, Inc.
 P.O. Box 64854
 Baltimore, MD 21264-4854

By Fed Ex: M&T Bank / Montgomery Park
 1800 Washington Boulevard
 Baltimore, MD 21230
 Attn: Lockbox #64854

(Please reference "NRN City: _____" on check.)

March 3, 2017

RE: Pennsylvania Department of Education (PDE) Financial Strategy Assistance for the Scranton School District

Dear Mayor Courtright:

The Scranton School District Board of Education is aware of and welcomes the offer of the Pennsylvania Department of Education to assist with the financial strategy project for the Scranton School District. In order to finance the project the PDE will match funds from the National Resource Network Grant (NRN) that is being managed by the city. We understand that the funding is available and are looking forward to getting started as soon as possible.

We appreciate your assistance in this matter.

Sincerely,

Name	Signature	Date
Mr. Bob Sheridan	<u>Robert A Sheridan</u>	<u>3/6/2017</u>
Ms. Carol Oleski	<u>Carol Oleski</u>	<u>3/6/2017</u>
Mr. Robert Casey	<u>[Signature]</u>	<u>3/6/17</u>
Mr. Cy Douaihy	<u>Cy Douaihy</u>	<u>3/6/2017</u>
Mr. Paul Duffy	<u>Not Present</u>	<u>3/6/2017</u>
Mr. Robert Lesh	<u>[Signature]</u>	<u>3/6/2017</u>
Mr. Mark McAndrew	<u>Mark McAndrew</u>	<u>3/6/2017</u>
Mr. Tom Schuster	<u>[Signature]</u>	<u>3/6/2017</u>
Mr. James Timlin	<u>Not Present</u>	<u>3/6/2017</u>





DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

May 4, 2017

To the Honorable Council
Of the City of Scranton
Municipal Building
Scranton, PA 18503

RECEIVED

MAY 4 2017

OFFICE OF CITY
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS RESOLUTION AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO PHASE II MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF SCRANTON AND THE NATIONAL RESOURCE NETWORK TO PROVIDE SUPPORT FOR THE CREATION AND ORGANIZATION OF A TASK FORCE TO ASSIST SCRANTON TOMORROW AND ADDITIONAL ASSISTANCE.

Respectfully,

Jessica L. Boyles, Esquire
City Solicitor

JLB/sl

FILE OF THE COUNCIL NO. _____

2017

AN ORDINANCE

AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO DISBURSE EIGHTY-NINE THOUSAND DOLLARS (\$89,000.00) FROM THE ACCOUNT INTO WHICH REPAYMENT OF URBAN DEVELOPMENT ACTION GRANTS (UDAG) ARE DEPOSITED (UDAG REPAYMENT ACCOUNT) TO BE USED FOR THE PURCHASE OF PAVING MATERIALS FOR THE CITY OF SCRANTON'S PAVING PROGRAM.

WHEREAS, the City of Scranton Office of Economic and Community Development has requested that legislation be prepared to use funds from the Repayments of Urban Development Action Grant (UDAG Re Re) Program in the amount of \$89,000.00 for the purchase of paving materials for the City of Scranton's Paving Program; and

WHEREAS, the City of Scranton Office of Economic and Community Development administers Urban Development Action Grants (UDAG) for which repayment is received (UDAG Repayments) that are deposited into the UDAG Repayment Account; and

WHEREAS, File of Council No. 47, 2008, requires legislation approved by the Governing Body of the City of Scranton prior to disbursement of UDAG Repayments from the UDAG Repayment Account.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON that the Mayor and other appropriate City Officials hereby authorize the disbursement of Eighty-Nine Thousand Dollars (\$89,000.00) from the account into which Repayment of Urban Development Action Grants (UDAG) are deposited (UDAG Repayment Account) to be used for the purchase of paving materials for the City of Scranton Paving Program.

SECTION 1. If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

SECTION 2. This Ordinance shall become effective immediately upon approval.

SECTION 3. This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law" and any other applicable law arising under the laws of the State of Pennsylvania.



Office of Economic and
Community Development

April 11, 2017

Atty. Jessica Boyle
City Solicitor
340 North Washington Avenue
Scranton, Pennsylvania 18503


Re: UDAG Re-Re
Reconstruction of City Streets to Include Handicap Curb Cuts

Dear Atty. Boyles:

Please proceed to prepare a Resolution to use funds from the repayments of the Urban Development Action Grant (UDAG Re-Re) Program in the amount of \$89,000.00. These funds will be used for the City of Scranton's Paving Program.

Please provide OECD with copies of any and all information as you move forward with this legislation. If you have any questions regarding this project, please contact me at 348-4216.

Sincerely,


Linda B. Aebli
Executive Director

lba/
cc: Atty. Eugene Hickey, Solicitor, OECD
Mr. Tom Preambo, Deputy Director, OECD
Mr. Dave Bulzoni, Business Administrator
Mr. Dennis Gallagher, Director, DPW

RECEIVED

APR 20 2017

OFFICE OF CITY
COUNCIL/CITY CLERK



DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

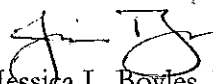
April 20, 2017

To the Honorable Council
Of the City of Scranton
Municipal Building
Scranton, PA 18503

Dear Honorable Council Members:

ATTACHED IS AN ORDINANCE AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO DISBURSE EIGHTY-NINE THOUSAND DOLLARS (\$89,000.00) FROM THE ACCOUNT INTO WHICH REPAYMENT OF URBAN DEVELOPMENT ACTION GRANTS (UDAG) ARE DEPOSITED (UDAG REPAYMENT ACCOUNT) TO BE USED FOR THE PURCHASE OF PAVING MATERIALS FOR THE CITY OF SCRANTON'S PAVING PROGRAM.

Respectfully,


Jessica L. Boyles, Esquire
City Solicitor

JLB/sl

RESOLUTION NO. _____

2017

APPROVING, IN ACCORDANCE WITH SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, A PLAN OF FINANCING OF THE SCRANTON-LACKAWANNA HEALTH AND WELFARE AUTHORITY AND DECLARING THAT IT IS DESIRABLE FOR THE HEALTH, SAFETY AND WELFARE OF THE PEOPLE OF THE CITY OF SCRANTON FOR THE SCRANTON-LACKAWANNA HEALTH AND WELFARE AUTHORITY TO UNDERTAKE A PROJECT FOR ALLIED HEALTH CARE SERVICES.

WHEREAS, pursuant to the Pennsylvania Municipality Authorities Act, as amended (the "Act"), the City of Scranton, Pennsylvania (the "City"), together with the County of Lackawanna, Pennsylvania (the "County"), created the Scranton-Lackawanna Health and Welfare Authority (the "Authority") to act as a financing authority for projects serving the City and/or the County; and

WHEREAS, Allied Health Care Services (the "Borrower") has requested the Authority to issue revenue notes (the "Notes") in one or more series in an aggregate principal amount not to exceed \$12,000,000 to finance, refinance and/or reimburse a project (the "Project") for the benefit of the Borrower, Allied Services Institute of Rehabilitation Medicine, Allied Skilled Nursing Center and Allied Terrace (collectively, the "Corporations") consisting of all or any of the following: (1) designing, acquiring, constructing, renovating, improving, furnishing and equipping of various capital acquisitions, renovations and/or improvements to the facilities of the Corporations; (2) designing, acquiring, constructing and equipping of site, infrastructure and parking improvements and various other capital improvements to the Corporations existing facilities and acquiring various capital equipment for use in or in connection with the facilities of the Corporations; (3) funding, if applicable, necessary reserves of the Notes; (4) refunding the Authority's outstanding Promissory Note, dated September 14, 2000, as amended on May 29, 2012 and on March 31, 2015, issued for the benefit of the borrower; (5) refunding any other outstanding indebtedness of the Corporations, if advantageous to the Corporations; and (6) funding contingencies and paying all or a portion of the costs and expenses of issuance of the Notes; and

WHEREAS, the Authority has authorized the issuance of the Notes pursuant to a Resolution adopted by the Authority on March 16, 2017, subject to approval of the Project by the City and by the County; and

WHEREAS, the approval by this Council, as evidenced by this Resolution, will enable the Authority to finance the Project without imposing any liability on the City or its citizens or taxpayers with respect to the Notes; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") requires that the applicable elected representative of the governmental unit on behalf of which bonds or notes are issued and of each governmental unit having jurisdiction over the area in which any facility with respect to which financing is to be provided from the net proceeds of such bonds or notes is located, approve such Notes after a public hearing in order for a private activity bond to be a qualified bond under the Code; and

WHEREAS, this Council is the "applicable elected representative" of the City within the meaning of the Code; and

WHEREAS, in accordance with Section 147(f) of the Code, a public hearing was held by the Authority at 11:00 a.m. local time on April 20, 2017, in connection with the issuance of the Notes and a report of such hearing has been provided to this Council; and

WHEREAS, the Act provides that none of the powers granted thereby shall be exercised in the construction, financing, improvement, maintenance, extension or operation of any project or projects which in whole or in part shall duplicate or compete with existing enterprises serving substantially the same purposes, but that such limitation does not apply to certain projects, including the financing and/or refinancing of buildings and facilities constituting "health centers" within the meaning of the Act, if the municipality organizing the authority for such project shall declare by resolution or ordinance that it is desirable for the health, safety and welfare of the people in the area served by such facilities to have such facilities provided by or financed through an authority.

NOW THEREFORE, THE COUNCIL OF THE CITY OF SCRANTON, PENNSYLVANIA hereby resolves that:

SECTION 1. The issuance of the Notes by the Authority in an aggregate principal amount not in excess of \$12,000,000 and the use of the proceeds of the Notes to finance the Project is hereby approved.

SECTION 2. It is hereby declared desirable for the health, safety and welfare of the people in the City of Scranton, Pennsylvania to have the Authority issue the Notes for the purpose of financing the Project.

SECTION 3. The foregoing action of this Council shall not in any way pledge or obligate the credit or taxing power of the City of Scranton, Pennsylvania, nor shall the City of Scranton be liable for the payment of the principal of, premium, if any, or interest on the Notes or any other cost related thereto.

SECTION 4. If any section, clause, provision or portion of this Resolution shall be held invalid, or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Resolution and the effective administration thereof.

SECTION 5. This Resolution shall become effective immediately upon approval.

SECTION 6. This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, Known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.

SCRANTON/LACKAWANNA HEALTH AND WELFARE AUTHORITY

LACKAWANNA COUNTY ADMINISTRATION BUILDING • P.O. Box 860 • 200 ADAMS AVENUE, • SCRANTON, PA 18501-0860

(570) 342-2353
FAX (570) 342-4088

April 20, 2017

RECEIVED

APR 26 2017

Ms. Lori Reed
Scranton City Council
Second Floor
340 N. Washington Avenue
Scranton, PA 18503

OFFICE OF CITY
COUNCIL/CITY CLERK

RE: Health and Welfare Authority Resolution for Allied Health Care Services,
Tax Free Financing not to exceed \$12,000,000.00

Dear Ms. Reed:

Enclosed is a proposed resolution approving the financing of certain facilities and declaring that it is desirable for the health, safety and welfare of the people in the area to be served by facilities of Allied Health Care Services, to have such facilities financed through the Scranton-Lackawanna Health and Welfare Authority for a maximum principal amount not to exceed \$12,000,000.00.

The Authority would appreciate placement of this Resolution on the Agenda for the next scheduled Council Meeting. Also, please keep in mind there is no liability on the City's behalf by approving this Resolution.

On behalf of the representatives of Allied Health Care Services, and the Authority, we wish to thank you for your participation in this Project. If you have any questions or concerns, please contact our office at any time.

Sincerely,



Mary Ellen Clarke
Asst. Administrator

Encl.

COUNCIL OF THE CITY OF
SCRANTON, PENNSYLVANIA

RESOLUTION NO. _____

2017

APPROVING, IN ACCORDANCE WITH SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, A PLAN OF FINANCING OF THE SCRANTON-LACKAWANNA HEALTH AND WELFARE AUTHORITY AND DECLARING THAT IT IS DESIRABLE FOR THE HEALTH, SAFETY AND WELFARE OF THE PEOPLE OF THE CITY OF SCRANTON FOR THE SCRANTON-LACKAWANNA HEALTH AND WELFARE AUTHORITY TO UNDERTAKE A PROJECT FOR ALLIED HEALTH CARE SERVICES

WHEREAS, pursuant to the Pennsylvania Municipality Authorities Act, as amended (the "Act"), the City of Scranton, Pennsylvania (the "City"), together with the County of Lackawanna, Pennsylvania (the "County"), created the Scranton-Lackawanna Health and Welfare Authority (the "Authority") to act as a financing authority for projects serving the City and/or the County; and

WHEREAS, Allied Health Care Services (the "Borrower") has requested the Authority to issue its revenue notes (the "Notes") in one or more series in an aggregate principal amount not to exceed \$12,000,000 to finance, refinance and/or reimburse a project (the "Project") for the benefit of the Borrower, Allied Services Institute of Rehabilitation Medicine, Allied Skilled Nursing Center and Allied Terrace (collectively, the "Corporations") consisting of all or any of the following: (1) designing, acquiring, constructing, renovating, improving, furnishing and equipping of various capital acquisitions, renovations and/or improvements to the facilities of the Corporations; (2) designing, acquiring, constructing and equipping of site, infrastructure and parking improvements and various other capital improvements to the Corporations' existing facilities and acquiring various capital equipment for use in or in connection with the facilities of the Corporations; (3) funding, if applicable, necessary reserves for the Notes; (4) refunding the Authority's outstanding Promissory Note, dated September 14, 2000, as amended on May 29, 2012 and on March 31, 2015, issued for the benefit of the Borrower; (5) refunding any other outstanding indebtedness of the Corporations, if advantageous to the Corporations; and (6) funding contingencies and paying all or a portion of the costs and expenses of issuance of the Notes; and

WHEREAS, the Authority has authorized the issuance of the Notes pursuant to a Resolution adopted by the Authority on March 16, 2017, subject to approval of the Project by the City and by the County; and

WHEREAS, the approval by this Council, as evidenced by this Resolution, will enable the Authority to finance the Project without imposing any liability on the City or its citizens or taxpayers with respect to the Notes; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") requires that the applicable elected representative of the governmental unit on behalf of which bonds or notes are issued and of each governmental unit having jurisdiction over the area in which any facility with respect to which financing is to be provided from the net proceeds of such bonds or notes is located, approve such Notes after a public hearing in order for a private activity bond to be a qualified bond under the Code; and

WHEREAS, this Council is the "applicable elected representative" of the City within the meaning of the Code; and

WHEREAS, in accordance with Section 147(f) of the Code, a public hearing was held by the Authority at 11:00 a.m. local time on April 20, 2017, in connection with the issuance of the Notes and a report of such hearing has been provided to this Council; and

WHEREAS, the Act provides that none of the powers granted thereby shall be exercised in the construction, financing, improvement, maintenance, extension or operation of any project or projects which in whole or in part shall duplicate or compete with existing enterprises serving substantially the same purposes, but that such limitation does not apply to certain projects, including the financing and/or refinancing of buildings and facilities constituting "health centers" within the meaning of the Act, if the municipality organizing the authority for such project shall declare by resolution or ordinance that it is desirable for the health, safety and welfare of the people in the area served by such facilities to have such facilities provided by or financed through an authority;

NOW THEREFORE, THE COUNCIL OF THE CITY OF SCRANTON, PENNSYLVANIA hereby resolves that:

Section 1. The issuance of the Notes by the Authority in an aggregate principal amount not in excess of \$12,000,000 and the use of the proceeds of the Notes to finance the Project is hereby approved.

Section 2. It is hereby declared desirable for the health, safety and welfare of the people in the City of Scranton, Pennsylvania to have the Authority issue the Notes for the purpose of financing the Project.

Section 3. The foregoing action of this Council shall not in any way pledge or obligate the credit or taxing power of the City of Scranton, Pennsylvania, nor shall the City of Scranton be liable for the payment of the principal of, premium, if any, or interest on the Notes or any other cost related thereto.

Section 4. If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution or any portion hereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Resolution and the effective administration hereof.

Section 5. This Resolution shall become effective immediately upon approval.

Section 6. This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, Known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the Commonwealth of Pennsylvania.

CERTIFICATE

I, the undersigned, City Clerk of the City of Scranton, Pennsylvania, certify that: attached hereto is a true and correct copy of a Resolution which duly was adopted by affirmative vote of a majority of all members of the City Council of the City of Scranton, Pennsylvania (the "City Council") at a meeting duly advertised, posted and held in accordance with law on the ____ day of _____, 2017; said Resolution has been duly recorded in the minute books of the City Council; and said Resolution has not been amended, altered, modified or repealed as of the date of this Certificate.

I further certify that the City Council met the advance notice requirements of the Sunshine Act, Act No. 1986-84 of the General Assembly of the Commonwealth of Pennsylvania, as amended and reenacted by Act 93 of 1998, by advertising the time and place of said meeting and by posting prominently a notice of said meeting as required by law.

IN WITNESS WHEREOF, I set my hand and affixed the official seal of the City of Scranton, Pennsylvania, this ____ day of _____, 2017.

Lori Reed, City Clerk of the City of
Scranton, Pennsylvania

(SEAL)

CITY OF SCRANTON

ATTEST:

BY: _____
Lori Reed, City Clerk

Date: _____

BY: _____
William L. Courtright, Mayor

Date: _____

BY: _____
Roseann Novembrino, City Controller

Date: _____

APPROVED AS TO FORM:

BY: _____
Jessica L. Boyles, Esq., City Solicitor

Date: _____

SCRANTON-LACKAWANNA HEALTH AND WELFARE AUTHORITY
TRANSCRIPT OF PUBLIC HEARING
of April 20, 2017

The Public Hearing of the Scranton-Lackawanna Health and Welfare Authority (the "Authority") scheduled for 11AM., local time, on Thursday, April 20, 2017, is hereby called to order. This Public Hearing is being held pursuant to the requirements of Section 147 (f) of the Internal Revenue Code of 1986, as amended. Attending the hearing on behalf of Allied Health Care Services (the "Borrower") relating to the Authority's proposed issuance of its Revenue Note in an aggregate principal amount up to but not exceeding \$12,000,000.00 is Michael Ferguson, Assistant Vice President Risk Management - Finance, Allied Health Care Services; Brian Koscelansky, Esq. of Stevens & Lee, Bond Counsel; and Mary Ellen Clarke, Assistant Administrator of the Scranton Lackawanna Health and Welfare Authority.

The representatives of the Authority and Allied Health Care Services, attending the Public Hearing described the nature and the purpose of the project being financed by the issuance of the Revenue Note in an aggregate amount up to but not exceeding \$12,000,000 for the purpose of providing funds to finance, refinance and/or reimburse all or any of the following: (a) designing, acquiring, constructing, renovating, improving, furnishing and equipping of new facilities and existing facilities of the Borrower; (b) designing, acquiring, constructing and equipping of site, infrastructure and parking improvements and various other capital improvements to the Borrower's existing facilities and acquiring various capital equipment for use in or in connection with the facilities of the Borrower; (c) funding, if applicable, necessary reserves for the Note (hereinafter defined); (d) refunding the Authority's outstanding Promissory Note, dated September 14, 2000, as amended on May 29, 2012 and on March 31, 2015, issued for the benefit of the Borrower; (e) refunding any other outstanding indebtedness of the Borrower, if advantageous to the Borrower; and (f) funding contingencies and paying all or a portion of the costs and expenses of issuance of the Note (collectively, the "Project").


I hereby enter into the Record one copy of an affidavit showing publication in The Scranton Times, a newspaper of general circulation in Lackawanna County, Pennsylvania, on a date at least fourteen (14) days prior hereto, of notice of the public hearing. The affidavit of publication is attached to this transcript.

The Authority is now ready to hear testimony and other comments from the public concerning the issuance by the Authority of the 2017 Note.

Let the record show that no members of the public have offered testimony or other comments as of 11:20AM this date. Accordingly, this public hearing is adjourned.

I, Mary Ellen Clarke, Assistant Administrator of The Scranton Lackawanna Health and Welfare Authority, do hereby certify that the foregoing is a true and accurate transcript of the Public Hearing held on April 20, 2017, by the Scranton-Lackawanna Health and Welfare Authority.

Date: April 20, 2017



Assistant Administrator

The Times Tribune Classifieds

TUESDAY, APRIL 4, 2017

ST-TRIBUNE.COM/CLASSIFIEDS

EMAIL US:

IN COLUMN DEADLINES:

570-348-9157

fax 570-348-9145

Avenue, Scranton, PA 18503

Recruitment: recruitmentads@timeshamrock.com

Legal ads: legals@timeshamrock.com

All other classifieds: classified@timeshamrock.com

Sunday & Monday: Friday 4 p.m.

Tuesday: Monday 4 p.m.

Wednesday: Tuesday 4 p.m.

Thursday: Wednesday

Friday: Thursday

Saturday: Friday

Real Estate: Thursday

NOTICE OF PUBLIC HEARING

Scranton-Lackawanna Health and Welfare Authority

Notice is hereby given that the Scranton-Lackawanna Health and Welfare Authority (the "Authority") will hold a public hearing on April 20, 2017, at 11:00 a.m., on behalf of the City of Scranton and the County of Lackawanna at the office of the Authority, 200 Adams Avenue, Fifth Floor, Scranton, Pennsylvania 18503, to discuss and take comment with respect to the financing of the following project:

Scranton-Lackawanna Health and Welfare Authority
Allied Health Care Services Project

NAMES AND ADDRESS OF OWNERS AND OPERATORS OF FACILITIES TO BE FINANCED: Allied Health Care Services; Allied Services Institute of Rehabilitation Medicine; Allied Skilled Nursing Center; Allied Terrace (collectively, the "Corporations"), 100 Abington Executive Park, Clarks Summit, PA 18411

ADDRESSES OF PROJECT: 200 Smallacombe Drive, Scranton, PA 18508; 104 Moffat Drive, Scranton, PA 18508; 475 Morgan Highway, Scranton, PA 18508; 155 Brooklyn Street, Suite 2, Carbondale, PA 18407; 319 South Blakely Street, Dunmore, PA 18812; 746 Jefferson Avenue, 5th Floor, Scranton, PA 18510; 235 Main Street, Dickson City, PA 18519; 921 Drinker Turnpike, Suite #14, Covington Township, PA 18444; 900 Quincy Avenue, Scranton, PA 18510; 126 Market Way, Mount Pocono, PA 18344; 134-148 South Main Street, Taylor, PA 18517; 421-423 Smallacombe Drive, Scranton, PA 18508; 100 Moffat Drive, Scranton, PA 18508; 801 Woodlawn Street, Scranton, PA 18509; 227 Canaan Street, Carbondale, PA 18407; 41-12 Pear Street, Carbondale, PA 18407; 103 Bichler Lane, Taylor, PA 18517; 1114 Richmond Street, Scranton, PA 18509; 6 Stauffer Industrial Park, Taylor, PA 18517; 303 Smallacombe Drive, Scranton, PA 18508; 201 Smallacombe Drive, Scranton, PA 18508; 102 Moffat Drive, Scranton, PA 18508; 100 Terrace Drive, Scranton, PA 18508; 438 Washington Street, Jermy, PA 18433; 5 Eliza Street, Dickson City, PA 18519; 1050-1054 Providence Road, Scranton, PA 18508; 529-531 Greenridge Street, Scranton, PA 18509; and 100 Abington Executive Park, Clarks Summit, PA 18411.

TOTAL COST OF PROJECT: Not to Exceed \$12,000,000 at each location listed above under "Addresses of Project" and "not to exceed \$12,000,000 in the aggregate."

MAXIMUM AGGREGATE FACE AMOUNT OF DEBT TO BE ISSUED: Not to Exceed \$12,000,000

PROJECT DESCRIPTION: The proceeds of the debt to be issued will be used to provide funds to finance, refinance and/or reimburse all or any of the following: (a) acquiring, designing, constructing and equipping of various capital acquisitions, additions, renovations and/or improvements of and/or to any or all of the facilities listed above under "Addresses of Project" for use by the Corporations; (b) designing, acquiring, constructing and equipping of site, infrastructure and parking improvements and various other capital improvements to the Corporations' existing facilities and acquiring various capital equipment for use in or in connection with any or all of the facilities of the Corporations listed above under "Addresses of Project"; (c) refunding the Authority's outstanding Promissory Note, dated September 14, 2000, as amended on May 29, 2012 and on March 31, 2015 (the "2000 Note"), issued for the benefit of Allied Health Care Services; (d) refunding any other outstanding indebtedness of the Corporations, if advantageous to the Corporations; (e) funding, if applicable, necessary reserves for the debt; and (f) funding contingencies and paying all or a portion of the costs and expenses of issuance of the debt.

Legal Notices

ties and paying all or a portion of the costs and expenses of issuance of the debt.

The proceeds of the 2000 Note were used to finance, refinance and/or reimburse the following: (a) acquisition and renovation of Allied Health Care Services building located at 100 Abington Executive Park, Clarks Summit, PA; and (b) paying certain costs of issuing the 2000 Note.

Members of the public are invited to attend the aforesaid public hearing. The attending public, on their own behalf or by attorney, are urged to provide information and make statements concerning the aforesaid project.

THE SCRANTON-LACKAWANNA HEALTH AND WELFARE AUTHORITY IS ACTING AS A "CONDUIT ISSUER" FOR THE BENEFIT OF THE CORPORATIONS AND THE DEBT WILL BE A LIMITED OBLIGATION OF THE SCRANTON-LACKAWANNA HEALTH AND WELFARE AUTHORITY, PAYABLE SOLELY FROM PAYMENTS TO BE MADE BY ONE OR MORE OF THE CORPORATIONS.

DEBT FINANCINGS OF THE SCRANTON-LACKAWANNA HEALTH AND WELFARE AUTHORITY ARE NOT OBLIGATIONS OF THE COMMONWEALTH OF PENNSYLVANIA, NOR OF ANY CITY, BOROUGH, TOWNSHIP OR OTHER POLITICAL SUBDIVISION OF THE COMMONWEALTH OF PENNSYLVANIA.

This Notice is published in accordance with the requirements of Section 147(f) of the Internal Revenue Code, as amended.

Scranton-Lackawanna Health and Welfare Authority



DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

RECEIVED

APR 26 2017

OFFICE OF CITY
COUNCIL/CITY CLERK

April 25, 2017

To the Honorable Council
Of the City of Scranton
Municipal Building
Scranton, PA 18503

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION APPROVING, IN ACCORDANCE WITH SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, A PLAN OF FINANCING OF THE SCRANTON-LACKAWANNA HEALTH AND WELFARE AUTHORITY AND DECLARING THAT IT IS DESIRABLE FOR THE HEALTH, SAFETY AND WELFARE OF THE PEOPLE OF THE CITY OF SCRANTON FOR THE SCRANTON-LACKAWANNA HEALTH AND WELFARE AUTHORITY TO UNDERTAKE A PROJECT FOR ALLIED HEALTH CARE SERVICES.

Respectfully,

Jessica L. Boyles, Esquire
City Solicitor

JLB/sl

RESOLUTION NO. _____

2017

AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF AGRICULTURE ("PDA"), DIVISION OF WEIGHTS AND MEASURES TO DELEGATE SPECIFIC WEIGHTS AND MEASURES INSPECTION, AND ENFORCEMENT RESPONSIBILITIES TO THE CITY OF SCRANTON.

WHEREAS, the PDA requires the City of Scranton to execute a Memorandum of Understanding setting forth the various duties of the state and municipality regarding the sealing of weights and measures; and

WHEREAS, this Memorandum of Understanding is the successor to the current Memorandum of Understanding which is due to expire June 30, 2017. This Memorandum shall commence on July 1, 2017 and shall terminate on June 30, 2022; and

WHEREAS, it is in the best interest of the City of Scranton to coordinate with the PDA to lawfully seal the effected weights and measures; and

WHEREAS, A copy of the Memorandum is attached hereto as Exhibit "A" and incorporated herein by reference hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SCRANTON that the Mayor and other appropriate City officials are hereby authorized to execute and enter into the Memorandum of Understanding with the PDA to delegate specific weights and measures inspection and enforcement responsibilities to the City of Scranton for the period July 1, 2017 through June 30, 2022.

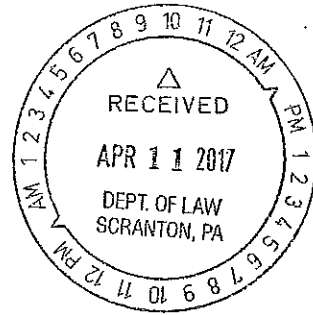
SECTION 1. If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Resolution and the effective administration thereof.

SECTION 2. This Resolution shall become effective immediately upon approval.

SECTION 3. This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.



pennsylvania
DEPARTMENT OF AGRICULTURE
DIVISION OF WEIGHTS AND MEASURES



April 4, 2017

City of Scranton
340 North Washington Avenue
Scranton, PA 18503

Dear County or City Weights and Measure Program:

Our records indicate that the Memorandum of Understanding ("MOU") authorizing your jurisdiction to conduct certain weights and measure inspections is due to expire.

If you wish to continue conducting weights and measures inspections in your jurisdiction please review, sign and return (the original of) the included MOU.

If you wish to relinquish, lessen or increase your weights and measures inspection responsibilities please contact the undersigned immediately.

Questions can be directed to Mrs. Laura Phillips, 717-787-5416, laphillips@pa.gov or the undersigned.

Respectfully,

Walter T. Remmert, Director

Enclosure: Memorandum of Understanding

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF AGRICULTURE**

**MEMORANDUM OF UNDERSTANDING
WEIGHTS AND MEASURES**

This Memorandum of Understanding is entered into as of the date of latest signature below. The parties to this Memorandum of Understanding are the Commonwealth of Pennsylvania, Department of Agriculture (“PDA”), with its business address at 2301 North Cameron Street, Harrisburg, PA 17110-9408, and the City of Scranton, Pennsylvania (“City”), having its offices at 340 North Washington Avenue, Scranton, PA 18503.

I. Recitals

- A. The Consolidated Weights and Measures Act (3 Pa.C.S.A. §§ 4101 - 4194) (“Act”) empowers and requires PDA to inspect and test, to ascertain if they are correct, weights and measures that are used in commerce within the Commonwealth of Pennsylvania.
- B. Section 4122(a) of the Act authorizes the mayors of cities of the second and third class to appoint one or more persons to serve as sealers of weights and measures in the City (“city sealers”).
- C. Section 4121(b) of the Act authorizes PDA to delegate certain powers and duties to city sealers, and requires that any such delegation be fully-delineated in a memorandum of understanding.
- D. The City and PDA intend this document as the required Memorandum of Understanding pursuant to which PDA shall delegate specific weights and measures inspection and enforcement responsibilities to the City. This is the successor Memorandum of Understanding to a current Memorandum of Understanding between the Parties which expires June 30, 2017.

II. Understanding.

PDA and the City agree to the following terms and conditions:

- 1. The recitals set forth above are incorporated into this understanding by reference.
- 2. The City has appointed one or more persons to serve as sealers of weights and measures as authorized under Section 4122(a) of the Act.

3. Pursuant to Section 4121(b) of the Act, PDA delegates to the City, and the City accepts, the powers and duties given to and imposed upon PDA under the following sections of the Act:
 - a. Section 4112 (relating to general testing and inspections);
 - b. Section 4116 (relating to investigations);
 - c. Section 4117 (relating to inspection of packages);
 - d. Section 4118 (relating to stop-use, stop-removal and removal orders);
 - e. Section 4119 (relating to disposition of correct and incorrect apparatus);
 - f. Section 4120 (relating to police powers; right of entry and stoppage); and
 - g. Section 4192 (relating to temporary or permanent injunctions).
4. The specific division of inspection responsibilities between PDA and the City is as follows:
 - a. PDA will inspect the weights, measures and weighing and measuring devices it is required to inspect under the Act, *except* for those listed in Subparagraph (b), below.
 - b. The City will inspect the following weights, measures and weighing and measuring devices:
 - Jewelers scales
 - Small capacity scales up to 30 lbs. capacity
 - Motor fuel dispensers
 - Linear measuring devices
 - Platform and hopper scales up to 1000 lbs. capacity
 - Timing devices
5. The City understands it must satisfy the standards and requirements established by the Department to assure uniform statewide enforcement of the Act and its attendant regulations.
6. The City shall annually, and at such other times as PDA may require, submit a written report to PDA, summarizing the following:
 - a. The work performed by its city sealers;
 - b. The weighing and measuring devices inspected or tested;
 - c. The results of such inspections or tests;
 - d. The nature and results of all prosecutions instituted by the city sealers for violations of the Act; and
 - e. All other matters and things pertaining to the duties of the sealer or which may be required by PDA.
7. The applicable provisions of the Act not specifically set forth herein are incorporated into and made a part of this memorandum.

8. The City shall maintain separate books, records, documents and other evidence with regard to this memorandum. Inspection records, supporting documents, and all other records shall be retained for a period of three (3) years from the date of this memorandum.
9. Authorized representatives of PDA or the Commonwealth shall have access to any pertinent books, documents, papers and records to make audits, examinations, excerpts and transcripts.
10. This memorandum shall commence on July 1, 2017 and shall terminate on June 30, 2022.
11. PDA may terminate this memorandum if it determines the city sealer enforcement program does not satisfy the standards and requirements established by PDA as necessary to assure uniform statewide enforcement of the Act. Either party may terminate this memorandum for any reason, upon 60 days written notice to the other party.
12. PDA shall review and (if necessary) update this memorandum on an annual basis.
13. This memorandum constitutes the entire understanding between the parties. No amendment or modification changing its scope or terms shall have any force or effect unless in writing and signed by both parties. It shall be construed in accordance with the law of the Commonwealth of Pennsylvania.
14. The City shall comply with the Non-Discrimination Clause, the conditions of which are set forth in Attachment "A," attached hereto and made a part hereof. In said attachment, the City is referred to as "contractor."
15. Pursuant to federal regulations promulgated under the authority of The Americans With Disabilities Act, 28 C.F.R. Section 35.101 *et seq.*, the City understands and agrees that no individual with a disability shall, on the basis of the disability, be excluded from participation in this contract or from activities provided for under this contract. As a condition of accepting and executing this contract, the City agrees to comply with the "General Prohibitions Against Discrimination," 28 C.F.R. Section 35.130, and all other regulations promulgated under Title II of The Americans With Disabilities Act which are applicable to the benefits, services, programs, and activities provided by the Commonwealth of Pennsylvania through contracts with outside contractors.
16. The City shall be responsible for and agree to indemnify and hold harmless the Commonwealth of Pennsylvania from all losses, damages, expenses, claims, demands, suits, and actions brought by any party against the Commonwealth of Pennsylvania as a result of the City's failure to comply with the requirements of Paragraph No. 15, above.

In Witness of this Understanding and with the intention of being legally bound by this document, the Parties have caused this memorandum to be executed by their duly authorized representatives as of the latest date of signature below.

CITY

DEPARTMENT OF AGRICULTURE

SIGNATURE

Deputy Secretary for Regulatory Programs

TITLE

Date

DATE

NOTE: As applicable, at least two (2) City Commissioners, the City Executive must sign.

APPROVED AS TO FORM AND LEGALITY

Chief Counsel
PA Department of Agriculture

Attachment "A"

NONDISCRIMINATION/SEXUAL HARASSMENT CLAUSE [Contracts]

The Contractor agrees:

1. In the hiring of any employee(s) for the manufacture of supplies, performance of work, or any other activity required under the contract or any subcontract, the Contractor, each subcontractor, or any person acting on behalf of the Contractor or subcontractor shall not, by reason of gender, race, creed, or color, discriminate against any citizen of this Commonwealth who is qualified and available to perform the work to which the employment relates.
2. Neither the Contractor nor any subcontractor nor any person on their behalf shall in any manner discriminate against or intimidate any employee involved in the manufacture of supplies, the performance of work, or any other activity required under the contract on account of gender, race, creed, or color.
3. The Contractor and each subcontractor shall establish and maintain a written sexual harassment policy and shall inform their employees of the policy. The policy must contain a notice that sexual harassment will not be tolerated and employees who practice it will be disciplined.
4. The Contractor and each subcontractor shall not discriminate by reason of gender, race, creed, or color against any subcontractor or supplier who is qualified to perform the work to which the contract relates.
5. The Contractor and each subcontractor shall, within the time periods requested by the Commonwealth, furnish all necessary employment documents and records and permit access to their books, records, and accounts by the contracting agency and the Bureau of Minority and Women Business Opportunities (BMWBO), for purpose of ascertaining compliance with provisions of this Nondiscrimination/Sexual Harassment Clause. Within fifteen (15) days after award of any contract, the Contractor shall be required to complete, sign and submit Form STD-21, the "Initial Contract Compliance Data" form. If the contract is a construction contract, then the Contractor shall be required to complete, sign and submit Form STD-28, the "Monthly Contract Compliance Report for Construction Contractors", each month no later than the 15th of the month following the reporting period beginning with the initial job conference and continuing through the completion of the project. Those contractors who have fewer than five employees or whose employees are all from the same family or who have completed the Form STD-21 within the past 12 months may, within the 15 days, request an exemption from the Form STD-21 submission requirement from the contracting agency.
6. The Contractor shall include the provisions of this Nondiscrimination/Sexual Harassment Clause in every subcontract so that those provisions applicable to subcontractors will be binding upon each subcontractor.
7. The Commonwealth may cancel or terminate the contract and all money due or to become due under the contract may be forfeited for a violation of the terms and conditions of this Nondiscrimination/Sexual Harassment Clause. In addition, the agency may proceed with debarment or suspension and may place the Contractor in the Contractor Responsibility File.

CITY OF SCRANTON

ATTEST:

BY: _____
Lori Reed, City Clerk

Date: _____

BY: _____
William L. Courtright, Mayor

Date: _____

BY: _____
Roseann Novembrino, City Controller

Date: _____

APPROVED AS TO FORM:

BY: _____
Jessica L. Boyles, Esq., City Solicitor

Date: _____

RECEIVED

APR 26 2017

OFFICE OF CITY
COUNCIL/CITY CLERK



DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

April 25, 2017

To the Honorable Council
Of the City of Scranton
Municipal Building
Scranton, PA 18503

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF AGRICULTURE ("PDA"), DIVISION OF WEIGHTS AND MEASURES TO DELEGATE SPECIFIC WEIGHTS AND MEASURES INSPECTION, AND ENFORCEMENT RESPONSIBILITIES TO THE CITY OF SCRANTON.

Respectfully,

Jessica L. Boyles, Esquire
City Solicitor

JLB/sl